

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

TREVOR MILLER,

Plaintiff,

Civil Action No. 15-7496-BRM-DEA

v.

WARREN HOSPITAL IPA, PA,
CHRISTOPHER MANN, M.D., and
DR. JOHN BERNARD

Defendants.

ORDER

THIS MATTER is opened by Defendant Christopher Mann, M.D.’s (“Dr. Mann”) Motion for Summary Judgment (ECF No. 73) and Defendant Warren Hospital IPA, PA’s (“Warren Hospital,” together with Dr. Mann, “Defendants”) Motion for Summary Judgment (ECF No 74). Plaintiff Trevor Miller (“Miller”) opposed both motions. (ECF Nos. 75 and 76.) Pursuant to Federal Rule of Civil Procedure 78(b), the Court did not hear oral argument. The Court having reviewed the parties’ submissions, for the reasons set forth in the accompanying Opinion, and for good cause shown,

IT IS on this 26th day of January 2018,

ORDERED that Dr. Mann’s Motion for Summary Judgment (ECF No. 73) is **DENIED**; and it is further

ORDERED that Warren Hospital’s Motion for Summary (ECF No. 74) is **GRANTED** as to all claims except vicarious liability, which shall be limited to the care and treatment provided by Dr. Mann; and it is further

ORDERED that Defendants have 30 days from this Order to submit a declaration of costs and fees associated with Miller's delay in submitting his expert report.

/s/ Brian R. Martinotti
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE